

Mark Makari

e: [REDACTED]
m: [REDACTED]

11 March 2021

Att: Director of Western Sydney Aerotropolis
Department of Planning, Industry and Environment
12 Darcy Street
Parramatta NSW 2150

By: Online lodgment

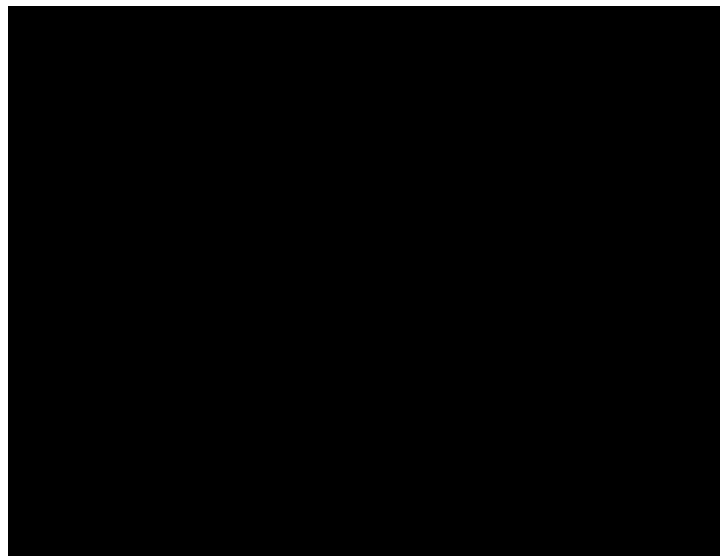
Dear Director,

WESTERN SYDNEY AEROTROPOLIS PRECINCTS SUBMISSION

Thank you for the opportunity to provide a submission on the draft Aerotropolis precinct plans.

I am the Director for Fifth Avenue Austral Pty Ltd who has entered a contract for the purchase of [REDACTED] Badgerys Creek Road Bringelly.

Our land is zoned mixed-use and sits within the Aerotropolis core metropolitan centre. We are on approximately the 500m radius of the Metro Station:



Whilst we are generally supportive of the draft documents, we strongly object to a number of items and we have outlined them as follows:

- Amalgamation parcels

- Open Space
- Land use and built form
- Building Height and
- FSR

Amalgamation Parcels:

The Amalgamation Requirement LU6 states: “Amalgamation of land is required to a minimum of 5ha in areas shown on figure 44”

Yet on figure 44, our estimate is that the amalgamation lot of which we are included in, is approximately 16ha.

We are opposed to such a large, mapped amalgamation parcel. We should be in line with the minimum 5ha as per the amalgamation requirement LU6. The conceptual amalgamation parcel mapped should only include Number [REDACTED] Badgerys Creek Road. The combined area of our property and number [REDACTED] Badgerys Creek Rd is approx. 5ha.

Open Space:

Number [REDACTED] Badgerys Creek Rd is shown as open space on the Amalgamation plan map and on other maps. The amalgamation map states “open space requiring coordinated development”, but this does not explain how this lot will be compensated for the open space which is currently zoned Mixed Use. As this lot will be amalgamated with our, we have strong views as to how the open space will be allocated and at whose cost?

We are in support of:

- Acquisition by Council or the Department under the Land Acquisition (Just Terms Compensation) Act
- Conversion to open space if the value is provided In-lieu of S94 Contributions or other infrastructure contributions to the same value.

We also believe that the open space maps which currently align with our Northern boundary can be extended to provide a consistent setback to Moore Gully but more importantly would provide some buildable land to number [REDACTED] Badgerys Creek. The open space setback should follow a consistent setback from Moore Gully as is the case with other landowners as shown in the draft plans. In this instance we request that the building form on the North East on our land is pushed further North towards the gully but at the same setback as the North West building.

Land use & built form

The current land use mapping is in direct opposition to the written objects and requirements in the draft reports.

Our current zoning is mixed use, and we are approx. 400m from the metro station yet we have been mapped business & enterprise.

In numerous locations the Precinct documents stipulate that our property should be mixed use and shockingly properties up to 1800m from the metro are showing the Commercial Centre – Mixed use zone.

See below extracts from the draft plan referring to the intended use of our property:

What the reports state should occur	Our comment and what has been shown on the maps
<p>In the precinct plan under 3.4.2 Land use and built form, Requirement – Aerotropolis core LU6 states Prioritize mixed-use employment and residential development within 800m of the metro station..”</p>	<p>This requirement has not occurred we are 400-500m from the metro station yet and the mixed-use was allocated further south of us in the opposite direction of the metro station – approximately 850m – 1800m from the metro station.</p>
<p>In the precinct plan under 3.4.2 Land use and built form, Objective LU2 states “.. achieve the objectives of land use zones, by providing the requirements for the type and location of land uses to achieve the Aerotropolis vision, including creating a 24/7 centre.</p>	<p>Our property is in the centre, we are 400-500m from the metro and to create a 24/7 centre means that we must have residential envisioned and permitted as part of our land use.</p>
<p>In the overview report under Aerotropolis Core, Metropolitan Centre, bullet point 6 reads “Active streets within an 800m walkable catchment of the metro station”</p>	<p>Active street are active during and after business hours. This can only be achieved with a mixed-use land use. We have not been shown a mixed-use land use yet we are from 400m of the metro</p>
<p>In the precinct plan under 3.4.1 Hierarchy of centres, Requirements LU1 Locate centres as identified in Figure 29....</p> <p>Fig 29 shows our property within the Metro radius of 800m and notes “...acts as a regional – scale mixed-use centre....</p>	<p>We have not been shown as mixed-use in the building form maps.</p>
<p>In the precinct plan under 3.4.1 Hierarchy of centres, Requirements LU2 Follow the hierarchy of centres within the Aerotropolis outlined in Table 2...</p> <p>Table 2 shows: Centre type – Metropolitan and Aerotropolis Core Role and Intent - ..includes multiuse purposes ..” Critical locational criteria – Part of a mixed-use precinct.. initially focused around 800m of the metro”</p>	<p>We are within the 800m of the metro. According to Table 2 we should be prioritized for a mixed-use land use before anyone else. This has not occurred as properties to the south of us more than 1800m from the metro have been shown as mixed use and we have been reverted to a fringe use of business enterprise.</p> <p>Mapping needs to be corrected in line with the actual written requirements of these draft plans.</p>
<p>In the precinct plan under 3.4.2 Land use and built form, Requirement all precincts LU2 states Prioritize mixed-use employment and residential development within 800m of the metro station..”</p>	<p>It is a requirement that mixed use employment and residential is prioritized within 800m of the metro station. This has not occurred and the mixed-use was allocated further south of us in the opposite direction of the metro station –</p>

	approximately 850m – 1800m from the metro station.
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Building Height

We object to the building heights allocated to our site (and the future amalgamated lot) as they are in contradiction to the draft written plan.

We cannot then comprehend how with so many requirements to allow the tallest heights to the Precinct core that the tallest heights have (in contradiction to the precinct plans and studies) been allocated further south up to 1700m away from the metro station.

See below the numerous occasion’s height is referred to in the study, yet we have been provided with a range of 40m-52.5m, rather than the 55m-70m

What the reports state should occur	Our comment and what has been shown on the maps
In the overview report under The height and Built form framework On Page 12, 2 nd Bullet point “Promoting the densest and tallest form within the mixed-use center of the Aerotropolis Core”	We are zoned mixed-use, we are in the mixed-use core yet we have not been provided with the densest or tallest form. The building heights of the highest and desists have jumped us and been provided to properties adjacent to us but further south more than 1800m from the metro station yet we are 500m from the metro.
In the overview report under the Maximum heights of buildings table on pg 13, Mixed use, Centre metropolitan, core shows a height of 55-70m This table is also shown in the precinct plan Table 3 under 3.4.3 Height.	We are withing 800m of the metro - the core of the Mixed-use center yet the heights in this table have not been applied when it came to the mapping.
In the precinct plan under 3.4.2 Land use and built form, Objective LU4 states “.. highest built form and densities in major centres serviced by Sydney Metro”	Our property is located in the centre, we are 400-500m from the metro but were not provided with the highest built form and densities.
In the precinct plan under 3.4.3 Height, Objective LU2 states “.. apply the greatest height and urban density in the Aerotropolis core... around the metro station”	We are in the Aerotropolis Core the greatest height has not been applied to us. The greatest height has been allocated to land further away from the station approx. 800m – 1800m

FSR

We have great concern in relation to the FSR allocated to our site (and the future amalgamated lot). We acknowledge that the studies and reports and the plan undertaken has been done so with such great expense, time and expertise. Why then does the mapping not match the report recommendations? We strongly object to the highest densities being allocated outside of the 800m radius of the metro (up to 1800m away) and request that maps are amended to reflect the findings of the reports.

See below the numerous occasions FSR / Density is referred to in the reports, yet we have been provided with an FSR of 2.5-3 rather than the 3-3.5 as it should be in accordance with:

What the reports state should occur	Our comment and what has been shown on the maps
In the overview report under The height and Built form framework On Page 12, 2 nd Bullet point <i>“Promoting the densest and tallest form within the mixed-use center of the Aerotropolis Core”</i>	We are zoned mixed-use, we are in the mixed-use core yet we have not been provided with the densest or tallest form. The densest buildings have jumped us and been provided to properties adjacent to us but further south more than 1800m from the metro station yet we are 500m from the metro.
In the precinct plan under 3.4.2 Land use and built form, Objective LU4 states “.. highest built form and densities in major centres serviced by Sydney Metro”	Our property is located in the centre, we are 400-500m from the metro but were not provided with the highest built form and densities.
In the precinct plan under 3.4.2 Land use and built form, Objective LU6 states “.. higher densities in particular close to metro stations but also adjacent to creeks and open space”	We have not been provided the “higher densities” as neighboring lots further away from the metro have been. Additionally we are being asked to provide open space and LU6 encourages the higher densities adjacent to the open spaces.
In the precinct plan under 3.4.3 Height, Objective LU2 states “.. apply the greatest height and urban density in the Aerotropolis core... around the metro station”	We are in the Aerotropolis Core the greatest density has not been applied to us. The density has been allocated to land further away from the station from 800m – 1800m
In the precinct plan under 3.4.4 Floor space ratio in mixed-use centres, Objective LU03 states “Locate higher intensity mixed-use employment and residential densities within 800m of the Metro Station	This objective has not been met. The higher density and mixed use has bypassed us although we are within 500m of the metro station. The higher intensity mixed use has gone to properties further away from the metro station approximately 850m – 1800m away. This must be rectified.
In the precinct plan under 3.4.4 Floor space ratio in mixed-use centres, Requirements LU1 states “Metropolitan centre FSR Range 3:1 – 3.5:1 (net over block)	We are within the metropolitan centre. We are 400-500m from the metro station but location to the south east of us approximately 800m – 1800m from the metro station were provided with this FSR

In summary we ask that:

1. Amalgamation lots are shown as 5ha lots
2. A clear mechanism is provided for the acquisition of open space

3. The open space extent on our property is reviewed so that the open space follows a consistent setback from the gully, allowing us to develop a option of our land with number ■ Badgerys Creek Road
4. That the mapping is amended as per the objectives and recommendations of the draft plans, which are:
 - a) Heights to 70m
 - b) FSR to 3.5:1
 - c) Land use to Business core – Mixed use.

Finally, we request that once our submission is considered, that amended documents are re-exhibited to give us another chance to review any amended plans.

We are also open to meeting with the department or its representatives to discuss the items raised in this submission at a suitable time and location to you.

Regards,

Mark Makari